

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	x	
UNITED STATES OF AMERICA,	:	
	:	19-cr-277 (JSR)
v.	:	
	:	
LARRY WHITE,	:	<u>ORDER</u>
Defendant.	:	
-----	x	

JED S. RAKOFF, U.S.D.J.

On September 28, 2020, the Court received by mail defendant Larry White's pro se motion to dismiss the indictment, which will be docketed. Previously, when this Court granted White's pro se motion to withdraw his guilty plea, the Court offered to appoint counsel to represent him at no cost and also informed him of his right to proceed pro se. Motions Hearing Tr., ECF No. 44, at 5. Instead, at White's election, the Court excused White's prior counsel so that White could be represented by retained counsel of his choice. Id. at 5-6. On August 19, 2020, the Court conducted a Curcio hearing and White made a fully informed decision to be represented by Robert Walters, Esq., his retained counsel.

In short, Mr. White has entrusted his representation to Mr. Walters. White cannot, therefore, submit further motions or submissions of any kind pro se, and he is hereby forbidden from doing so in the future. Absent extraordinary circumstances, any submission he makes hereafter will be treated as a nullity and will be disregarded by the Court.

Nevertheless, because Mr. White arguably did not realize that only his counsel could bring any motion at this time, the Court has considered White's pro se motion to dismiss the indictment on the merits and finds it totally frivolous. The motion is therefore denied.¹

SO ORDERED.

Dated: New York, NY
September 29, 2020


JED S. RAKOFF, U.S.D.J.

¹ Although White's motion principally requests dismissal of the indictment, the concluding paragraph also requests that the Court "dismiss . . . all 'fruits' from [the] illegal arrest." Pro Se Mot. To Dismiss Indictment 4 (to be docketed). White's prior counsel raised this issue in a motion to suppress, which the Court granted in part and denied in part. See ECF No. 53. For the reasons stated therein, White's request to suppress the fruits of the arrest is hereby denied as moot.